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May 4, 2006 Montréal, Canada

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IN THE UNITED STATES PATENTS AND TRADEMARKS OFFICE

APPLICANTS:

Andrew VAILLANT et al.

ASSIGNEE:

REPLICOR INC.

SERIAL NUMBER:

10/661,097

TITLE:

ANTIVIRAL OLIGONUCLEOTIDES TARGETING HSV AND

CMV

FILING DATE:

September 12, 2003

ART UNIT:

1648

EXAMINER:

Jane J. ZARA

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR § 1.97 and 1.98

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on a PTO/SB/08A/B form is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR § 1.56. A copy of each listed document is being submitted to comply with the provisions of \$37 CFR §§ 1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in

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Serial No. 10/661,097

37 CFR § 1.56(b). Applicants do not waive any rights to take any action which would be

appropriate to antedate or otherwise remove as a competent reference any document which is

determined to be a prima facie prior art reference against the claims of the present

application.

RELEVANCE OF EACH DOCUMENT

Applicants respectfully request that any listed document be considered by the

Examiner and be made of record in the present application and that an initialed copy of Form

PTO/SB/08A/B be returned in accordance with MPEP § 609.

The Commissioner is hereby authorized to withdraw the fees in the amount of

\$180.00 for the submission of an Information Disclosure Statement from Deposit Account

No. 19-5113 as well as any additional fees which may be required regarding this application

under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-5113.

Respectfully submitted,

May 4, 2006

Christian Cawthorn, Reg. No. 47,352

Agent of record

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Encl. Form PTO/SB/08A/B

Non-Patent References in pdf format

PTO/SB/08A/B 08-03)

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Substitute for form 1449PTO

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

13

Complete if Known

Application Number 10/661,097

Filing Date September 12, 2003

First Named Inventor Andrew Vaillant et al.

Art Unit 1635

Examiner Name Jane J. ZARA

Attorney Docket Number 16051-6US CC

(use as many sheets as necessary)

Sheet 1 of

U.S. PATENT DOCUMENTS Pages, Columns, Lines Where Relevant Passages or Relevant Cite No. Document Number Name of Patentee or Applicant of Cited Document Publication Date MM-DD-YYYY Number - Kind Code² (if known) Figures Appear US-5,563,050 US-6,506,559 US-5,023,252 US-5,580,859 US-4,806,463 US-5,248,670 US-5,591,720 US-5,952,490 US-5,998,602 US-6,184,369 US-5,264,423 US-5.276.019 US-6,316,190 US-5,218,103 US-5,684,148 US-5,452,496 US-5,278,302 US-5,750,666 US-5,602,244 US-5,508,270

		FORE	IGN PATENT DO	CUMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code3 – Number4 – Kind Code5 (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant Of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	7*
		WO 03/02903				
		WO 99/32619				
		WO 01/75164				П
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		WO 94/17093				
		WO 94/02499				\Box
		WO 94/26764				
		WO 97/13499				

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Substitute f	or form 1449PTO			Complete if Known		
				Application Number	10/661,097	
INF	ORMATIO	N DIS	CLOSURE	Filing Date	September 12, 2003	
ST/	TEMENT	BY A	PPLICANT	First Named Inventor	Andrew Vaillant et al.	
				Art Unit	1635	
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Sheet	2	of	13	Attorney Docket Number	16051-6US CC	

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Initials*	No.1	Number – Kind Code ² (if known)	MM-DD-YYYY	Applicant of Cited Document	Figures Appear				
		US-4,469,863							
		US-5,610,289							
		US-5,256,775							
		US-5,366,878							
		US-5,476,925							
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		Country Code 3 – Number 4 – Kind Code 5 (if known) WO 90/04384			ur Kelevalt rigules Appeal	T ⁶
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Sheet 7 of 13		Attorney Docket Number	16051-6US CC			

		NON PATENT LITERATURE DOCUMENTS	
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PTO/SB/08A/B 08-03)

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Substitute t	or form 1449PTO			Complete if Known		
				Application Number	10/661,097	
INF	ORMATIO	N DIS	CLOSURE	Filing Date	September 12, 2003	
ST	ATEMENT	BY A	PPLICANT	First Named Inventor	Andrew Vaillant et al.	
				Art Unit	1635	
	(use as many sh	eets as n	ecessary)	Examiner Name	Jane J. ZARA	
Sheet	10	of	13	Attorney Docket Number	16051-6US CC	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		MOU and GRAY, "The high binding affinity of phosphorothioate-modified oligomers for Ff gene 5 protein is moderated by the addition of C-5 propyne or 2'-O-methyl modifications", 2002, <i>Nucleic Acids Res.</i> 30 (3):749-758.	
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		PRIOLA et al., "Porphyrin and Phthalocyanine Antiscrapie Compounds", 2000, Science 287: 1503-1506.				
		PROSKE <i>et al.</i> , "Prion-Protein-Specific Aptamer Reduces PrP ^{sc} Formation", 2002, <i>Chemic. Biol.Chem.</i> 3:717-725.				
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		SMETSERS et al., "An antisense Bcr-Abl phosphodiester-tailed methylphosphonate oligonucleotide reduces the growth of chronic myeloid leukaemia patient cells bay a non-antisense mechanism", 1997, British Journal of Haematology 96:377-381.					
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		XU et al., "Inhibition of DNA Replication and Induction of S Phase Cell Cycle Arrest by G-rich Oligonucleotides", 2001, The Journal of Biological Chemistry 276 (46):43221-43230.					
		YANG et al., "Construction and selection of bead-bound combinatorial oligonucleoside phosphorothioate and phosphorodithioate aptamer libraries designed for rapid PCR-based sequencing", 2002, <i>Nucl. Acids Res.</i> 30 (23):1-8.					
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